

# Discussion on Provo Canyon springs is delayed

**By Brooke Adams**  
Deseret News staff writer

PROVO — A discussion on Provo City's springs in Provo Canyon and how they may be affected by relocation of the Olmsted aqueduct has been postponed for one week.

The City Council scheduled a public discussion on the relocation work and on contracts being negotiated between Provo and the Central Utah Water Conservancy District for its meeting Tuesday after a resident requested a public hearing on the matter. But council member Gordon Bullock, acting chairman, said he received a half dozen calls from people who felt the discussion item had not been adequately publicized. Some callers said they

were unable to attend Tuesday's meeting and asked that the discussion be rescheduled, Bullock said.

The council agreed to do so, and the item will be discussed during the meeting Tuesday, Oct. 10.

Some residents are concerned that the quality and volume of the city's springs, located near Nunn's Park, will be negatively affected when the district buries a one-mile section of the green pipe in the mountain on the north side of the canyon from just north of Bridal Veil Falls to Canyon Glen Park. The city gets an average of 2,000 acre-feet of water a year from the springs — enough water for 6,000 people.

This stretch of pipe is located on a major

landslide that has moved as much as 10 feet a day during wet years, causing structural damage to the pipe.

The contracts being drawn up will give the district an easement on two pieces of Provo city property located in the relocation area.

Studies performed by a district engineer indicate spring production may be disrupted during construction but that the springs will not suffer permanent damage. That conclusion has been confirmed by an independent geologist hired by Provo City, said Mayor Joe Jenkins.

Jenkins said the geologist, Bruce Kaliser, formerly with the state Geological and Mineral Survey, found the construction would have "nil impact on the springs."

"The district has agreed to place monitors to measure amount and quality (of the springs) in the drilling range area," Jenkins said. The monitors will provide a comparison of spring water production before and after the construction project.

"If it does impact the springs, the district has agreed to supplant the spring water with other water," Jenkins said.

Provo City also is negotiating an agreement with the district to divert some of its shares of Provo River water through the aqueduct to the treatment plant and on into Provo via an interconnect line — thus making "beneficial use" of that water, a requirement for retaining rights to water in Utah. Work on the interconnect line could begin this year, Jenkins said.



# Water agreement dripping with controversy

By MARK EDDINGTON  
The Daily Herald

Provo Metropolitan Water District officials are calling their agreement with developers to supply water to Midway condominiums good for the city, but City Councilman James Daley thinks the deal is a contract with disaster.

District officials recently entered into a one-year contract with Georgetown Development Inc. and Alpenhof Development Company to supply 134.9 acre feet of water to condominiums the companies are proposing to build near Midway. The agreement is renewable on an annual basis and was signed with the understanding that Provo has first right of refusal on all water owned by the district.

Daley's concern is that turning off the tap is much more difficult than turning it on, no matter what the terms of the contract state.

"I don't care how good their signed contract is," Daley said.

"The first time a teen-ager up there takes a shower and the district says they are going to cut the water off, they'll go to court and get a restraining order. No judge is going to let them turn it off."

Provo Public Works Director Merrill Bingham said such concerns are unwarranted because state law gives cities priority rights to the water. He said the city attorney has reviewed the contract between the district and developers and feels that Provo is adequately protected.

Bingham said the deal is also a moneymaker for the district. Under terms of the agreement, Provo Metropolitan will sell the water at an annual cost of \$26,980. That is roughly 13 times what the district would charge the city for the same amount. In addition, the water to be sold to the developers represents about 1.7 percent of the 8,000 acre-feet the district owns in Deer Creek Reservoir.

"The developers see this as a

temporary measure for them until they can find a more permanent source of water," Bingham explained. "This water is expensive, so the last thing they want to do is become dependent on water to which the city has the first right of refusal."

But Daley sees trouble ahead. He said there is nothing to guarantee the developers will be able to tap into other water sources. The Jordanelle Dam is one possible source, but ultimately it will be the cities in Wasatch County that determine who gets the water when it becomes available in 1996.

If the deal is so good and Provo doesn't need the water, Daley asks why it wasn't put on the open market and sold to the highest bidder.

"If they're going to sell to these guys, who are they going to sell to next? How many of these deals can they cut and still protect Provo's water?" he asks.

Plenty, according to Bingham and Provo Metropolitan manager

Chuck Henson. The district operates autonomously from the city and has the full authority to levy taxes. That the district's five-member board has not elected to do so, Bingham added, is because of the deals it has made like this one.

Henson concedes that more money could have been made by selling water to the highest bidder. California, for example, would probably pay four times what Georgetown and Alpenhof are willing to pay for the water. But he said the city would probably object to such a sale.

"At least we are selling it to Utahns and keeping it in the state," he said.

Daley is not swayed by such arguments. He disagrees with the district's freedom to cut deals without any say from the mayor and council, who he maintains will take the blame if anything jeopardizes Provo's supply of water. Member's of the district's board

are appointed to six-year terms by the mayor but are not answerable to the city. Bingham said districts were deliberately set up that way to prevent water from becoming a political issue.

"The Legislature thought citizens would be better served if water was not subject to the whims of politicians," he said.

Even with the deal, there is no guarantee Georgetown and Alpenhof will have any condominiums for which to supply water. The developers are proposing to build more than 100 condominiums on property between Midway and Heber — land Midway is trying to annex into the city.

Midway City Planner Randy Deschamps said the annexation issue will have to be resolved before city officials decide whether to approve the proposed condominiums and the developers' water deal. Before approving any project, the city requires developers to supply their own water.



# Water District Calls For State Regulations To Prevent Provo River Spills and Contamination

8-5-92  
The Central Utah Water Conservancy District board of directors has adopted a resolution urging the state to regulate hazardous substances transported through Provo Canyon.

The board unanimously ratified the resolution, calling for water officials to be notified immediately in case of a potentially dangerous spill, because a tractor-trailer crashed and spilled ammonium nitrate into the Provo River June 8.

Don A. Christiansen, general manager of the district, said the incident "underscores the potential danger of contamination to a major source of water with a single

accident...It's in the public interest that the water district board asks the state to consider measures, regulations and permits to protect the water supply of Utah County and Salt Lake County from spills and contamination that could occur from the transport of hazardous and toxic substances and materials through Provo Canyon...We want to prevent a similar incident from ever taking place."

He has sent letters to Wasatch County Sheriff Mike Spanos, as well as the Utah Department of Public Safety and the Utah County Sheriff, asking them to notify the

district as soon as a car or truck plunges into Deer Creek Reservoir, the Provo River or one of its tributaries.

According to a district news-letter, the June 8 incident forced the district to close its water transmission facilities from Provo Canyon to the Jordan Valley Water Treatment plant in Orem.

"The Jordan Valley Treatment Plant came within several hours of being shut down for lack of water and the Utah Valley Treatment Plant had to switch to an alternate source of water as a result of the truck accident," said Christiansen.